



Little Learners
NURSERY GROUP

Whistle Blowing Policy

Reviewed: November 2021

To be reviewed: November 2022

Directors' Whistle Blowing Policy

1. Introduction

The staff and directors of Little Learners Nursery Group seek to run all aspects of nursery business and activity with full regard for high standards of conduct and integrity. In the event that **any** member of the nursery community becomes aware of activities which give cause for concern, the following whistle blowing policy, or code of practice, has been established which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

The provisions of this policy apply to matters of suspected fraud and impropriety and not matters of more general grievance, which would be dealt with under the grievance procedures. The procedures under this policy may also be used for matters relating to safeguarding children's welfare. Please refer also to the Whistle Blowing Policy at Appendix 3 of the Model Safeguarding Policy.

Throughout this policy, the term *whistleblower* denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the *Second Report of the Committee on Standards in Public Life: Local Spending Bodies*, published in May 1996.

The Directors of Little Learners are committed to tackling fraud and other forms of malpractice and treat these issues seriously. The Directors recognise that some concerns may be extremely sensitive and have therefore developed a system which allows for the confidential raising of concerns within the nursery environment but also has recourse to an external party outside the management structure of the nursery.

The Directors are committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

2. When might the whistle blowing policy apply?

The type of activity or behaviour which the Directors consider should be dealt with under this policy includes:

- Manipulation of accounting records and finances;
- Fraud, corruption or dishonesty;
- Actions which are likely to cause physical danger to any person, or to give rise to a risk of significant damage to property;
- Actions leading to loss of income to the nursery;
- Any unlawful act, whether criminal or a breach of civil law;
- Breach of, or failure to implement or comply with, Financial Regulations or Standing Orders;
- Inappropriate use of nursery assets or funds;
- Decision making for personal gain;
- Abuse of power, or the use of the nursery's powers and authority for any unauthorised or ulterior purpose;

- Breach of any statutory Code of Practice or other failure to comply with appropriate professional standards;
- Serious breaches of nursery procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest);
- Allegations against staff relating to safeguarding (see Appendix 3 of the Model Safeguarding Policy);
- Inappropriate behaviour from staff
- Data protection breach (Data Protection Bill 2017)
- Any other matter you consider you cannot raise by any other procedure.

3. What action should the whistleblower take?

We would hope that in most cases issues could be raised with a line manager or a member of the senior management team and resolved. If not: -

Contact the Principal or DPO immediately if there is a data breach.

DPO: David Powell

Sapphire Skies Ltd, Pendragon House, 65 London Road, St. Albans, Herts., AL1 1LJ

Email: dpo@sapphireskies.co.uk 07479 266645

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>.

Step one

The whistleblower should contact the Nursery Principal or Board of Directors.

They may prefer to raise the matter in person, by telephone (via the Office Manager, St Mary's tel: **020 8521 1066**. St. Saviours tel: **0208 520 0612**) or in written form, marked private and confidential, addressed to one of the individuals above. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

Step two

The whistleblower may consider the matter too serious or sensitive to raise within the internal environment of the nursery.

In this case, matters should be directed to the

Chief Internal Auditor, London Borough of Waltham Forest - 020 496 4801

Waltham Forest Whistle Blowing line – 0208 496 4299

The Local Authority has its own procedures for dealing with such matters and will make every effort to respect the confidentiality of the Whistleblower.

4. How will the matter be progressed?

The individual(s) in receipt of the information or allegation (the investigating officer(s)) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other

members of nursery staff, legal or personnel advisers, the police or the Department for Education.

5. Respecting Confidentiality

Wherever possible, the Directors will respect the confidentiality and anonymity of the *whistleblower* and will as far as possible protect him/her from reprisals. The Directors will not tolerate any attempt to victimise the *whistleblower* or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

6. Raising unfounded malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns in the knowledge that they will be taken seriously. However, if individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

7. Further information

Further information should initially be sought from OFSTED, an Early Years Consultant/Advisor, college or citizen advice. The charity **Public Concern at Work** provides free confidential advice to workers who have concerns about wrongdoing in the workplace.

To contact Public Concern at Work:

Write to: Suite 306, 16 Baldwins Gardens, London, EC1N 7RJ; or
Telephone: 020 7404 6609; or
Website: <http://www.pcaw.co.uk/index.html> or
Email: whistle@pcaw.demon.co.uk

How the Matter Can Be Taken Further

This policy is intended to provide you with an avenue within the Nursery to raise concerns. The Nursery hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Nursery, to the Information Commissioner their contact details are:

Information Commissioner

Information Commissioner's Office, Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

Or go to their website at: <https://ico.org.uk/global/contact-us/email/>

If you do take the matter outside the Nursery, you must ensure that you do not disclose confidential information in a manner that is in breach of the Nursery's Data Protection Policy, e.g. you must not disclose personal data and so any reporting by you should, whilst explaining your concerns, should not disclose the identity of any individuals, be they students, parents, or members of staff. Should the ICO in response to any referral by you seek information from the Nursery the Nursery will co-operate fully and will provide such information to the ICO as is necessary for the purposes of any follow-up investigation by them.

8. Conclusion

Existing good practice within the nursery in terms of its systems of internal control both financial and non-financial and the external regulatory environment in which the nursery operates will ensure that cases of suspected fraud or impropriety rarely occur.

This whistleblowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary outside the management structure of the nursery. This document is a public commitment by Directors that concerns are taken seriously and will be actioned.